

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: NOEL HUMBERTO MELENDEZ GONZALEZ
VILMA MARTINEZ RIVERA

Bkrtcy. No. 10-04816-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>May 31, 2010</u>	Meeting Date: <u>Jul 23, 2010</u>	DC Track No. <u>18</u>						
Days from petition date: <u>53</u>	Meeting Time: <u>1:00 PM</u>							
910 Days before Petition: <u>12/3/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Apr 19, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1st</u> Bankruptcy petition.	Plan Base: <u>\$9,000.00</u>							
This is the <u>2nd</u> Scheduled Meeting	Confirmation Hearing Date: <u>Aug 06, 2010</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>Total Paid In: <u>\$150.00</u></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount			Total Paid In: <u>\$150.00</u>	
Ck/MO No.	Date	Amount						
		Total Paid In: <u>\$150.00</u>						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input checked="" type="checkbox"/> Creditors present: <u>BPPR-R. Herrera</u>
<input checked="" type="checkbox"/> Debtor Present <input checked="" type="checkbox"/> Joint Debtor Present Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath. Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present <input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent <input type="checkbox"/> Joint Debtor Absent <input type="checkbox"/> Pro-se.	

II. Attorneys Fees as per R 2016(b) Statement Attorney of record: <u>JUAN O CALDERON LITHGOW*</u>	
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$0.00</u> Outstanding: <u>\$3,000.00</u> <small>THROUGH THE PLAN</small>

III. Trustee's will file Motion to Dismiss: ☐ For Failure to appear; ☐ For Failure to commence payments.

IV. Trustee's Report on Confirmation & Status of §341 Meeting

Debtor(s) Income is (are) ☒ Under ☐ Above Median Income. Liquidation Value: \$0

Commitment Period is ☒ 36 ☐ 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: N/A

The Trustee ☐ RECOMMENDS ☒ OBJECTS Plan confirmation.

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR ___ DAYS

§341 Meeting Rescheduled for: _____

V. Trustee's OBJECTIONS to Confirmation:

☐ FEASIBILITY [§1325(a)(6)] ☐ INSUFFICIENTLY FUNDED ☐ To pay §507 ☐ Fails Creditor's Best Interest Test §1325(A)(4)
☐ FAILS DISPOSABLE INCOME REQUIREMENTS ☒ Failure to comply with Tax returns requirements. [§1308]
☐ Failure to comply with DSO requirements ☒ Plan not filed in Good Faith §1325(a)(3) ☐ Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

① Debtors will provide deed of Donation of Hereditary Interest to her mother (11 heirs, including Debtor) Re: Lig. Value.

② Debtors will assume vehicle lease with Popular Leasing, 2005 Nissan Pathfinder.

③ Debtors will amend SOFA, Line 9 to reflect

/s/ José R. Carrión
Trustee

Chaff
Presiding Officer

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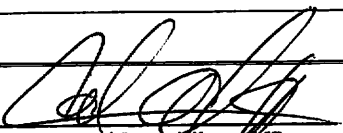
Date: Jul 23, 2010

Case No. 10-4816 (BK)

ADDITIONAL OBJECTIONS / COMMENTS:

payment of \$500.00 made to attorney before the filing of the petition for filing related expenses.

(4) Trustee to analyze information provided about complete lack of income during years 2006 and 2007, since mortgage payment was of \$1400.00 and lease of \$565.00 each month. Debtors have not been able to adequately explain how they paid such obligations without any income. Their siblings work for retail stores and have very limited income.


Trustee / Presiding Officer

7/23/2010